

Serial No.: 09/926,293
Atty. Docket No.: P67157US0

REMARKS

The Office Action mailed September 10, 2003, has been carefully reviewed and by this Amendment, Applicants have amended claims 1-12 and added claims 13-17. Claims 1-17 are pending in the application, and claim 1 is independent.

The Examiner rejected claims 1, 2, 11 and 12 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,176,663 to Svedman et al. ("Svedman"). Under 35 U.S.C. 103(a), the Examiner rejected claims 5 and 6 (and by discussion claims 3 and 4) as being unpatentable over Svedman in view of U.S. Patent No. 5,891,074 to Cesarczyk, rejected claims 7-9 as being unpatentable over Svedman in view of WO 93/01777 to Malloul, and rejected claim 10 as being unpatentable over Svedman in view of U.S. Patent No. 5,181,905 to Flam.

As set forth in claim 1, which has been amended to correct informalities noted therein without changing the scope of the claim, the present invention is directed to a pressure relieving dressing having an absorbent element and a substantially non-absorbing pressure distributing element. The absorbent element constitutes part of the skin-contacting surface of the dressing and is encircled by the pressure distributing element which constitutes the remainder of the skin-contacting surface. Significantly, the

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absorbent element is situated eccentrically within the encircling pressure distributing element such that the absorbent element is not centered therein.

As discussed in the specification at page 6, line 27 through page 7, line 10, in traditional pressure-relieving dressings, a ring of pressure distributing material is drawn with the high-risk area in the center. However, by isolating the high-risk area behind a heavy barrier of such pressure distributing material, the high-risk area is locked up inside the ring, giving rise to problems with circulation of body fluids as well as a risk of developing oedemas.

With the present invention, however, in which the pressure distributing material is placed apart from the center of the device, a more open structure is achieved. This more open structure not only serves to prevent problems with the circulation of body fluids, but may even enhance the circulation in the tissue of the high risk area which is covered by the eccentrically located absorbent element.

The prior art does not teach or suggest the eccentric placement of an absorbent element within a pressure distributing element in the manner claimed which, as just discussed, has

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significant advantages over the centered absorbent element designs as taught by the prior art.

Svedman discloses a dressing with an absorbent element and a substantially non-absorbent pressure-distributing and stiffening element which is preferably formed as an integrated part of the absorbent layer, such as in the form of cushions (see column 4, lines 29-33). The absorbent element is covered/wrapped in a sheeting or film which serves as a liquid-tight barrier. The sheeting is relatively thin and can have only negligible pressure distributing function. Because the two elements are combined together as an integrated part, the absorbent element cannot truly be said to be "encircled" by the pressure-distributing element, and certainly cannot be described as being "situated eccentrically" with respect thereto.

For at least the foregoing reasons, claim 1 is neither anticipated by nor obvious in view of Svedman and is patentable thereover. Nor is claim 2 shown or suggested by Svedman as Svedman does not disclose or suggest an absorbent element situated at a border of the pressure distributing element in such an eccentric arrangement as claimed.

Contrary to the Examiner's characterization thereof, the patent to Cesarczyk discloses a pressure-exerting, not pressure

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relieving, wound dressing, with Figure 7 illustrating an absorbent pad 22 with a cover layer 12 being applied over a catheter. The dressing is used to apply pressure to the wound, which is in contrast to the present invention in which the dressing provides a pressure relief or pressure distribution away from the wound (see the specification at page 6, lines 11-18). Therefore, the use of an elastomer to apply pressure to the wound does not suggest the use of an elastomer for a pressure-distributing element for relieving pressure. Accordingly, claims 3 and 4 are patentable over the prior art.

Malloul is directed to a dressing for sutured wounds and is non-elastic and preferably relatively stiff in order to provide a raised protective support over the wound. The fabric or padding at the center of the dressing stands back from the wound-contacting surface and thus does not serve directly as an absorbent element. Furthermore, the indentations in Malloul provide for air circulation and are not analogous to the indentations as claimed which provide flexibility but do not penetrate the top layer. Thus, claim 9 is patentable over the prior art.

New claims 13-17 are also in condition for allowance as claims properly dependent on an allowable base claim and for the subject matter contained therein. Particularly, the prior art does

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not disclose or suggest a pressure distributing element that is generally elliptical in shape (claim 13), with an absorbent element situated adjacent a border thereof (claim 14). Nor is there anything in the prior art to suggest an eccentric arrangement in which the absorbent element is found wholly to one side of a center line drawn perpendicular to the longitudinal length of the elliptical pressure distributing element (claims 16 and 17), and as shown in Figure 2.

With this amendment and the foregoing remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned attorney so that the present application can receive an early Notice of Allowance.

Respectfully submitted,

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Date: January 9, 2004
HBJ:SCB:cwp
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